

REMARKS

This Amendment is responsive to the official action dated May 9, 2008. Claims 1-18 were pending in the application. In the official action, claims 1-18 were rejected. In this Amendment, claims 1, 9, and 17 have been amended. Claims 1-18 thus remain for consideration.

Applicants submit that claims 1-18 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

Title

A new title has been provided. The new title is believed to be clearly indicative of the invention to which the claims are directed.

Claim Objections

Claims 1, 9, and 17 were objected to because of lack of clarity and precision.

Claims 1, 9, and 17 have been amended. Applicants submit that the amendments to claims 1, 9, and 17 render the claims clear and precise. Accordingly, Applicants request that the claim objections be withdrawn.

§102 and §103 Rejections

Claims 1-5, 8-13, and 16-18 were rejected under 35 U.S.C. §102(e) as being anticipated by Sun et al. (U.S. Patent Publication No. 2004/0145602).

Claims 6, 7, 14, and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sun in view of Niikawa (U.S. Patent No. 6,757,479).

Applicants submit that the independent claims (claims 1, 8, 9, and 16-18) are patentable over Sun and Niikawa (collectively "the cited references").

Applicants' invention as recited in independent claim 1 is directed toward an information processing device. The claim recites "classifying means for classifying [a file stored in the device] according to information concerning the date of creation of the file in the case that [it is determined] that the file was created by the device, and for classifying the file according to information concerning the date the file was obtained in the case that [it is determined] that the file was obtained from a source external to the device." Claims 8, 9, and 16-18 include similar recitations.

Neither of the cited references discloses the quoted recitation. In particular, Applicants wish to comment on the Sun reference.

Sun discloses that a computer classifies input photos according to "digital time information," "printed time information" or "storage time information." (See Sun Fig. 5.) More specifically, Sun first determines whether or not an input photo contains digital time information. If so, Sun classifies the photo using the digital time information. If not, Sun determines whether or not the input photo contains printed time information, and if the photo does contain printed time information Sun classifies the photo using the printed time information. If the input photo contains neither digital time information nor printed time information, Sun classifies the photo using file storage time information. Thus, in Sun if a photo contains digital time information it is classified on the basis of such information regardless of whether or not the photo was obtained from an external device. Moreover, Sun's computer need not determine whether a photo was internally or externally created because the computer can not create a photo, and therefore any photos must necessarily be externally created.

Since neither of the cited references discloses Applicants' classifying recitation, Applicants submit that the independent

claims are patentable over the cited references - taken either individually or in combination - on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-7 and 10-15 are patentable over the cited references for at least the same reasons discussed in connection with the independent claims.


Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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